

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WILLIAM M. BYRD,

Plaintiff,

v.

AVENTIS PHARMACEUTICALS, INC. and
DEBRA EDMUNDS,

Defendants.

Civil Action No. 04-11032-DPW

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1

Pursuant to the Court's Notice of Scheduling Conference, the parties in the above-captioned matter hereby submit their Joint Pretrial Statement in connection with the scheduling conference to be held on July 8, 2004 at 2:30 P.M. The parties propose the following pre-trial schedule:

I. Joint Discovery Plan

The parties have agreed to the following discovery schedule:

- A. Initial disclosures completed by July 16, 2004;
- B. All requests for production of documents pursuant to Fed. R. Civ. P. 34 and all interrogatories propounded pursuant to Fed. R. Civ. P. 33 shall be served no later than October 29, 2004. All answers/responses to the written discovery indicated above shall be served no later than December 31, 2004.
- C. All factual depositions (non-expert witnesses) shall be concluded no later than February 28, 2005.

D. Plaintiff shall identify his experts pursuant to Fed. R. Civ. P. 26(a)(2) on or before November 30, 2004.

E. Defendant shall identify its experts pursuant to Fed. R. Civ. P. 26(a)(2) on or before January 31, 2005.

F. The experts may be deposed. The parties shall pay reasonable expert fees as provided under Rule 26a(4)(C). Plaintiff's experts shall be deposed by January 31, 2005. Defendant's experts shall be deposed by March 31, 2005.

G. Discovery shall be completed by March 31, 2005.

II. Schedule for Filing of Motions

A. All Motions pursuant to Fed. R. Civ. P. 12, 15, 19 and 20 shall be filed no later than November 30, 2004.

B. Rule 56 motion filed by May 16, 2005;

C. Opposition to Rule 56 motion filed by June 15, 2005;

D. Reply Filed by July 1, 2005.

III. Certifications

The parties' counsel have conferred with their clients as to establishing a budget or cost for the litigation and with respect to ADR programs. Certificates Pursuant to Local Rule 16.1(D) (3) will be submitted separately.

Respectfully submitted,

FOR PLAINTIFF

FOR DEFENDANTS

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Dated: July 1, 2004